

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Troy Taylor,

Plaintiff,

v.

Case No. 21-10512

Wayne County and Kim Worthy,

Sean F. Cox

Defendants.

United States District Court Judge

ORDER DISMISSING ACTION FOR FAILURE TO PAY FILING FEE

On February 11, 2021, Plaintiff filed a *pro se* civil complaint alleging trespass, wrongful eviction, slander, libel, and intentional infliction of emotional distress claims against Defendants. (ECF No. 1). Plaintiff did not pay the filing fee nor did she apply to proceed *in forma pauperis*. The Clerk of the Court notified Plaintiff of her deficiency.

On April 15, 2021, the Court ordered Plaintiff to show cause, by May 7, 2021, why this action should not be dismissed for failure to pay the filing fee. (ECF No. 4). On April 23, 2021, Plaintiff filed what appears to be an illegible, scanned copy of an identification card with a handwritten note that states, "I'm indigent from paying filing fees." (ECF No. 7). Plaintiff also filed an objection to the show-cause order and notice of an entirely unrelated claim against a party who is not a defendant in this action. (ECF No. 8). The objection does not address the show-cause order in any capacity. (ECF No. 8).

Federal law provides that the "clerk of each district court shall require parties instituting any such civil action, suit or proceeding in such court, whether by original process, removal or

otherwise, to pay a filing fee of \$400,” 28 U.S.C. § 1914(a). To ensure access to the courts, however, 28 U.S.C. § 1915(a) permits an indigent plaintiff to avoid payment of filing fees by filing an *in forma pauperis* affidavit. Under that section, the Court must conduct a satisfactory inquiry into the plaintiff's ability to pay the filing fee and prosecute the lawsuit. A plaintiff seeking *in forma pauperis* standing must respond fully to the questions on the Court's *in forma pauperis* form and execute the affidavit in compliance with the certification requirements contained in 28 U.S.C. § 1746.

In this case, Plaintiff's response to the show-cause order is insufficient because she did not comply with the *in forma pauperis* requirements under 28 U.S.C. § 1746. The show-cause deadline has passed without sufficient response addressing these requirements from Plaintiff. Because Plaintiff has not paid the filing fee for this appeal nor has she applied to proceed *in forma pauperis*, the Court hereby DISMISSES this action.

IT IS SO ORDERED.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: June 1, 2021